

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS AND INTERFERENCES
(Attorney Docket No. 14330US02)**

In the Application of:

Jeyhan Karaoguz, et al.

Electronically Filed on May 24, 2010

Serial No.: 10/675,904

Filed: September 30, 2003

For: MEDIA EXCHANGE NETWORK
WITH MEDIA GUIDE INTERFACE

Examiner: Patrick A. Ryan

Group Art Unit: 2427

Conf. No.: 6131

RESPONSE TO NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief, Applicants respectfully submit the Summary of Claimed Subject Matter. This response is timely because it is being filed within one month of the April 26, 2010 mailing date of the Notice.

Respectfully submitted,

Date: May 24, 2010

/Kirk A. Vander Leest/

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SUMMARY OF CLAIMED SUBJECT MATTER
(37 C.F.R. § 41.37(c)(1)(v))

Independent Claim 1 recites the following:

1. A method for customizing a channel interface, the method comprising:
determining¹ one or both of personal media² and/or broadcast media³ that is to be presented in a media channel;⁴
determining a schedule for presenting said one or both of personal media and/or broadcast media in said media channel;⁵ and
presenting for displaying, at a first geographic location,⁶ said schedule comprising said one or both of personal media and/or broadcast media in a media guide,⁷ wherein said media channel may be pushed from said first geographic location to a second geographic location,⁸ wherein said media guide comprises a plurality of channels,⁹ and wherein one or more of said

¹ See, e.g., Application, p. 19, ¶ 67, lines 1 to 7; *see also id.*, Fig. 4, Step 1.

² See, e.g., *id.*, p. 11, ¶ 0038, line 1 to p. 12, ¶ 39, line 12; *see also id.*, Fig. 1B, refs. 105 and 106.

³ See, e.g., *id.*, p. 11, ¶ 0038, line 1 to p. 12, ¶ 39, line 12; *see also id.*, Fig. 1B, refs. 107 and 108.

⁴ See, e.g., *id.*, p. 11, ¶ 38, line 1 to p. 12, ¶ 39, line 12; *see also id.*, Fig. 1B, refs. 102, 103, 104, 112, 113, and 114; *see also id.*, ¶ 50, lines 1-8.

⁵ See, e.g., *id.*, p. 8, ¶ 30, lines 6-11; *see also id.*, p. 12, ¶ 0039, lines 5-12; *see also id.*, p. 12, ¶ 41, line 1 to p. 13, ¶ 42, line 2; *see also id.*, ¶ 75, lines 1-6; *see also id.*, Fig. 1B, ref. 111, and Fig. 6, ref. 604.

⁶ See, e.g., *id.*, p. 9, ¶ 31, lines 1-6; *see also id.*, Fig. 1A, ref. 3.

⁷ See, e.g., *id.*, p. 11, ¶ 38, line 1 to p. 12, ¶ 39, line 12; *see also id.*, Fig. 1B, ref. 100.

⁸ See, e.g., *id.*, p. 16, ¶ 52, lines 1-5; *see also id.*, p. 19, ¶ 68, lines 1-4; *see also id.*, Figs 2B and 4, Step 2.

⁹ See, e.g., *id.*, p. 12, ¶ 41, line 1 to p. 13, ¶ 41, line 2; *see also id.*, Fig. 1B, refs. 102, 103, 104, 112, 113 and 114.

plurality of channels may be selected and viewed at said first geographic location prior to pushing said media channel to said second geographic location.¹⁰

Independent Claim 11 recites the following:

11. A machine-readable storage¹¹ having stored thereon, a computer program¹² having at least one code section for customizing a channel interface, the at least one code section being executable by a machine¹³ for causing the machine to perform steps comprising:¹⁴

determining¹⁵ one or both of personal media¹⁶ and/or broadcast media¹⁷ that is to be presented in a media channel;¹⁸

determining¹⁹ a schedule for presenting said one or both of personal media and/or broadcast media in said media channel; and

presenting for displaying, at a first geographic location,²⁰ said schedule comprising said one or both of personal media and/or broadcast media in a media guide,²¹ wherein said media

¹⁰ See, e.g., *id.*, p. 9, ¶ 33, lines 1-7; see also *id.*, p. 16, ¶ 53, lines 1-8; see also *id.* p. 17, ¶ 56, lines 1-5.

¹¹ See, e.g., *id.*, Fig. 2B, ref. 238

¹² See, e.g., *id.*, Fig. 2B, ref. 221.

¹³ See, e.g., *id.*, Fig. 2B, ref. 222.

¹⁴ See, e.g., *id.*, p. 9, ¶ 32, lines 1-11; see also *id.*, p. 15, ¶ 49, lines 1-11.

¹⁵ See, e.g., *id.*, p. 19, ¶ 67, lines 1-7; see also *id.*, Fig. 4, Step 1.

¹⁶ See, e.g., *id.*, p. 11, ¶ 0038, line 1 to p. 12, ¶ 39, line 12; see also *id.*, Fig. 1B, refs. 105 and 106.

¹⁷ See, e.g., *id.*, p. 11, ¶ 0038, line 1 to p. 12, ¶ 39, line 12; see also *id.*, Fig. 1B, refs. 107 and 108.

¹⁸ See, e.g., *id.*, p. 11, ¶ 38, line 1 to p. 12, ¶ 39, line 12; see also *id.*, Fig. 1B, refs. 102, 103, 104, 112, 113, and 114; see also *id.*, ¶ 50, lines 1-8.

¹⁹ See, e.g., *id.*, p. 8, ¶ 30, lines 6-11; see also *id.*, p. 12, ¶ 0039, lines 5-12; see also *id.*, p. 12, ¶ 41, line 1 to p. 13, ¶ 42, line 2; see also *id.*, ¶ 75, lines 1-6; see also *id.*, Fig. 1B, ref. 111, and Fig. 6, ref. 604.

²⁰ See, e.g., *id.*, p. 9, ¶ 31, lines 1-6; see also *id.*, Fig. 1A, ref. 3.

²¹ See, e.g., *id.*, p. 11, ¶ 38, line 1 to p. 12, ¶ 39, line 12; see also *id.*, Fig. 1B, ref. 100.

channel may be pushed from said first geographic location to a second geographic location,²² wherein said media guide comprises a plurality of channels,²³ and wherein one or more of said plurality of channels may be selected and viewed at said first geographic location prior to pushing said media channel to said second geographic location.²⁴

Independent claim 21 recites the following:

21. A system for customizing a channel interface, the system comprising:
at least one processor²⁵ that receives at least one indication of one or both of personal media²⁶ and/or broadcast media²⁷ that is to be presented in a media channel;²⁸
said at least one processor receives at least one indication of a schedule for presenting said one or both of personal media and/or broadcast media in said media channel;²⁹ and
said at least one processor causes said schedule comprising said one or both of personal media and/or broadcast media to be presented for displaying, at a first geographic location,³⁰ in a media guide,³¹ wherein said media channel may be pushed from said first geographic location to

²² See, e.g., *id.*, p. 16, ¶ 52, lines 1-5; *see also id.*, p. 19, ¶ 68, lines 1-4; *see also id.*, Figs 2B and 4, Step 2.

²³ See, e.g., *id.*, p. 12, ¶ 41, line 1 to p. 13, ¶ 41, line 2; *see also id.*, Fig. 1B, refs. 102, 103, 104, 112, 113 and 114.

²⁴ See, e.g., *id.*, p. 9, ¶ 33, lines 1-7; *see also id.*, p. 16, ¶ 53, lines 1-8; *see also id.* p. 17, ¶ 56, lines 1-5.

²⁵ See, e.g., *id.*, Fig. 2B, ref. 222 and Fig. 4B, ref. 402; *see also id.*, p. 9, ¶ 32, lines 1-11; *see also id.*, p. 15, ¶ 49, lines 1-11; *see, also id.*, p. 19, ¶ 67, lines 1-7; *see also id.*, Fig. 4, Step 1.

²⁶ See, e.g., *id.*, p. 11, ¶ 0038, line 1 to p. 12, ¶ 39, line 12; *see also id.*, Fig. 1B, refs. 105 and 106.

²⁷ See, e.g., *id.*, p. 11, ¶ 0038, line 1 to p. 12, ¶ 39, line 12; *see also id.*, Fig. 1B, refs. 105 and 106.

²⁸ See, e.g., *id.*, p. 11, ¶ 38, line 1 to p. 12, ¶ 39, line 12; *see also id.*, Fig. 1B, refs. 102, 103, 104, 112, 113, and 114; *see also id.*, ¶ 50, lines 1-8.

²⁹ See, e.g., *id.*, p. 8, ¶ 30, lines 6-11; *see also id.*, p. 12, ¶ 0039, lines 5-12; *see also id.*, p. 12, ¶ 41, line 1 to p. 13, ¶ 42, line 2; *see also id.*, ¶ 75, lines 1-6; *see also id.*, Fig. 1B, ref. 111, and Fig. 6, ref. 604.

³⁰ See, e.g., *id.*, p. 9, ¶ 31, lines 1-6; *see also id.*, Fig. 1A, ref. 3.

³¹ See, e.g., *id.*, p. 11, ¶ 38, line 1 to p. 12, ¶ 39, line 12; *see also id.*, Fig. 1B, ref. 100.

a second geographic location,³² wherein said media guide comprises a plurality of channels,³³ and wherein one or more of said plurality of channels may be selected and viewed at said first geographic location prior to pushing said media channel to said second geographic location.³⁴

³² See, e.g., *id.*, p. 16, ¶ 52, lines 1-5; *see also id.*, p. 19, ¶ 68, lines 1-4; *see also id.*, Figs 2B and 4, Step 2.

³³ See, e.g., *id.*, p. 12, ¶ 41, line 1 to p. 13, ¶ 41, line 2; *see also id.*, Fig. 1B, refs. 102, 103, 104, 112, 113 and 114.

³⁴ See, e.g., *id.*, p. 9, ¶ 33, lines 1-7; *see also id.*, p. 16, ¶ 53, lines 1-8; *see also id.* p. 17, ¶ 56, lines 1-5.